

**Amendments to the Claims:**

The listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

1. (Currently amended) A An isolated polynucleotide which has the nucleotide sequence of SEQ ID NO. 1 and which has the ability, when operably associated with a further nucleotide sequence encoding a peptide, to promote transcription of ~~that said further~~ nucleotide sequence, or an isolated a polynucleotide which has at least 95% nucleotide sequence identity to SEQ ID NO. 1 and which is a functionally equivalent variant thereof of SEQ ID NO. 1.
2. (Currently amended) A An isolated plant reproductive tissue specific promoter which has the nucleotide sequence of SEQ ID NO. 1 or a functionally equivalent variant thereof which has at least 95% nucleotide sequence identity with SEQ ID NO. 1.
3. (Currently amended) A An isolated plant reproductive tissue promoter which has the nucleotide sequence of SEQ ID NO. 2.
4. (Currently amended) A DNA construct which comprises as operably linked components:
  - (a) a polynucleotide having activity as a transcriptional promoter according to claim 1;
  - (b) an open reading frame polynucleotide coding for a peptide; and
  - (c) a termination sequence.

5. (Currently amended) A DNA construct which comprises as operably linked components:
  - (a) a promoter sequence as given in SEQ ID NO. 1 or a functionally equivalent variant thereof which has at least ~~90%~~ 95% homology to SEQ ID NO. 1 or a promoter sequence as given in SEQ ID NO. 2;
  - (b) an open reading frame polynucleotide coding for a peptide; and
  - (c) a termination sequence.
6. (Currently amended) A The construct as claimed in claim 4 or claim 5 in which the open reading frame is in a sense orientation.
7. (Currently amended) A The construct as claimed in claim 4 or claim 5 in which the open reading frame is in an anti-sense orientation.
8. (Currently amended) A The construct according to ~~any of claims 4-7~~ claim 5 wherein said open reading frame encodes a peptide having SEQ ID NO. ~~3~~ NO. 4.
9. (Currently amended) A The construct according to claim 6 wherein said open reading frame polynucleotide encodes a peptide which, when expressed in reproductive tissue of a plant, causes said plant's reproductive organs to abort.
10. (Currently amended) A The construct according to claim 6 wherein said open reading frame polynucleotide encodes a peptide which, when expressed in reproductive tissue of a plant, causes said plant's reproductive organs to redefine themselves as vegetative.
11. (Currently amended) A The construct according to claim 6 wherein said open reading frame polynucleotide encodes a peptide which, when expressed in

- reproductive tissue of a plant, causes said plant's reproductive organs to stop development.
12. (Currently amended) A The construct according to claim 6 wherein said open reading frame polynucleotide encodes a peptide which, when expressed in reproductive tissue of a plant, causes cell death.
  13. (Currently amended) A The construct according to claim 12 wherein the peptide which causes cell death is selected from the group consisting of diphtheria toxin A and Barnase.
  14. (Currently amended) A The construct according to claim 12 wherein the peptide which causes cell death is an RNase.
  15. (Currently amended) A The construct according to claim 14 wherein said RNase is encoded by the nucleotide sequence of SEQ ID NO. 5.
  16. (Currently amended) A The construct according to claim 6 wherein said open reading frame polynucleotide encodes a peptide which, when expressed in reproductive tissue of a plant, causes an alteration in the timing of flowering of said plant.
  17. (Currently amended) ) A The construct according to claim 5 which further includes:
    - (d) a selection marker sequence.
  18. (Currently amended) A The construct according to claim 16 in which said selection marker sequence is the NPTII gene.

19. (Previously amended) A transgenic plant cell which includes a construct according to claim 5.
20. (Currently amended) A transgenic plant which includes a construct according to claim 8 5.
21. (Previously amended) A transgenic plant which contains a polynucleotide according to claim 1 or a promoter according to claim 5, which plant has a reduced reproductive capacity.
22. (Currently amended) A The transgenic plant according to claim 21 wherein in said plant said polynucleotide or said promoter is operatively associated with a nucleotide sequence encoding a peptide, which when expressed in reproductive tissue of the plant, causes the plant's reproductive organs to abort, redefine as vegetative or stop development.
23. (Currently amended) A The transgenic plant according to claim 21 wherein in said plant said polynucleotide or promoter is operatively associated with a nucleotide sequence encoding a RNase.
24. (Currently amended) A The transgenic plant according to claim 23 in which the RNase has the sequence of SEQ ID NO. ~~5~~ NO. 6.
25. (Currently amended) A The transgenic plant according to claim 20 wherein said plant is a coniferous plant.
26. (Currently amended) A The transgenic plant according to claim 25 which is a coniferous plant of the *Pinus* genus.

27. (Currently amended) A The transgenic plant according to claim 26 which is a member of a species selected from the group consisting of *Pinus radiata*, *Pinus taeda*, *Pinus elliottii*, *Pinus clausa*, *Pinus palustris*, *Pinus echinata*, *Pinus ponderosa*, *Pinus jeffrey*, *Pinus resinosa*, *Pinus rigida*, *Pinus banksiana*, *Pinus serotina*, *Pinus strobus*, *Pinus monticola*, *Pinus lambertiana*, *Pinus virginiana*, *Pinus contorta*, *Pinus cariboea*, *Pinus pinaster*, *Pinus brutia*, *Pinus eldarica*, *Pinus coulteri*, *Pinus nigra*, *Pinus sylvestris*, *Pinus tecunumannii*, *Pinus keyisia*, *Pinus oocarpa* and *Pinus maximinoii*; and hybrids between any of the above species.
28. (Currently amended) A The transgenic plant according to claim 20 wherein said plant is a tree.
29. (Currently amended) A The transgenic plant according to claim 28 which is a member of the *Eucalyptus* genus.
30. (Currently amended) ) A The transgenic plant according to claim 26 which is a member of a species selected from ~~from~~; from the group consisting of *Eucalyptus alba*, *Eucalyptus bancroftii*, *Eucalyptus botyroides*, *Eucalyptus bridgesiana*, *Eucalyptus calophylla*, *Eucalyptus camaldulensis*, *Eucalyptus citriodora*, *Eucalyptus cladocalyx*, *Eucalyptus coccifera*, *Eucalyptus curtisii*, *Eucalyptus dalrympleana*, *Eucalyptus deglupta*, *Eucalyptus delagatensis*, *Eucalyptus diversicolor*, *Eucalyptus dunnii*, *Eucalyptus ficifolia*, *Eucalyptus globulus*, *Eucalyptus gomphocephala*, *Eucalyptus gunnii*, *Eucalyptus henryi*, *Eucalyptus laevopinea*, *Eucalyptus macarthurii*, *Eucalyptus macrorhyncha*, *Eucalyptus maculata*, *Eucalyptus marginata*, *Eucalyptus megacarpa*, *Eucalyptus melliodora*, *Eucalyptus nicholii*, *Eucalyptus nitens*, *Eucalyptus nova-anglica*, *Eucalyptus obliqua*, *Eucalyptus obtusiflora*, *Eucalyptus oreades*, *Eucalyptus pauciflora*, *Eucalyptus polybractea*, *Eucalyptus regnans*, *Eucalyptus resinifera*, *Eucalyptus robusta*, *Eucalyptus rudis*, *Eucalyptus saligna*, *Eucalyptus sideroxylon*, *Eucalyptus stuartiana*, *Eucalyptus tereticornis*, *Eucalyptus*

*torelliana*, *Eucalyptus urnigera*, *Eucalyptus urophylla*, *Eucalyptus viminalis*,  
*Eucalyptus viridis*, *Eucalyptus wandoo* and *Eucalyptus youmanni*; and hybrids  
between any of the above species.